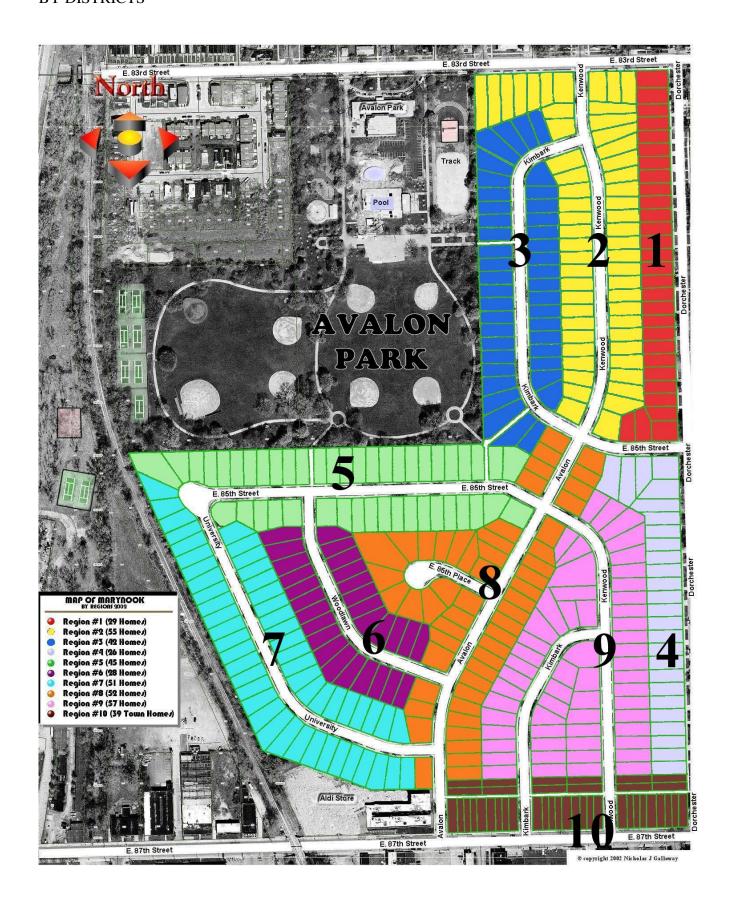
FOCAL POINT OF COMMUNITY ACTION

MARYNOOK HOMEOWNERS ASSOCIATION

BY-LAWS

RATIFIED: JUNE 23, 1991



MARYNOOK HOMEOWNERS ASSOCIATION BY-LAWS

RATIFIED JUNE 23, 1991

ARTICLE I - PURPOSE

The purpose of the **MARYNOOK HOMEOWNERS ASSOCIATION** is to administer the affairs of common interest to homeowners who constitute the Marynook community. The Association engages in activities pertaining to the general interest, welfare, appearance, recreation, health, safety, and social affairs of the community. The Association also ensures enforcement of the <u>PROTECTIVE</u> <u>COVENANTS</u> that are binding on all Marynook homeowners.

ARTICLE II - FISCAL YEAR

For purposes of administering the Business Affairs of the Marynook Homeowners Association, the fiscal year is established to be the calendar year ending **December 31st.** The **Annual Meeting** of the **Marynook Homeowners Association** is scheduled for the month of **May of each calendar year.**

ARTICLE III - MEMBERSHIP ELIGIBILITY

- **Section 1.** Every owner described in Section 2 through Section 2C of Article III, is automatically a member of the Association.
- **Section 2. Eligibility for membership:** Any person, corporation, or land trust or legal entity who has legal title of record of any lot or lots within the limits of the area here-in-after defined and used as residences shall be responsible to maintain current membership in this Association as evidenced by the payment of all annual **Homeowner Assessments** and other assessment fees by the current property owner or resident, as established and approved annually by the Marynook Council and set forth in the annual financial **budget** of the Association. Said area is generally described as follows:

Lots 1 to 122 in J. E. Merrion's Marynook, a subdivision located in the vicinity of Avalon Park in the city of Chicago, Illinois.

Lots 1 to 278 in J. E. Merrion's Marynook Addition, a resubdivision.

Lots 1 to 39 in J, E. Merrion's further resubdivision of Marynook Addition (**townhouses** and duplexes).

- **Section 2A.** In case legal title to any property in the district is held by a legal entity other than an individual or in joint tenancy or tenancy in common, by more than one person, the owner or owners thereof:
 - (1) Shall each have a portion of a whole vote which is comparable to their ownership interest.
 - (2) Each owner may designate in writing the name of the individual or individuals

authorized to cast their vote for any candidate at any election or on any question.

- **Section 2B.** In case the legal title to any lot or lots or property in the district is held by one or more minors, then their natural or legal guardian or guardians shall be eligible to vote, or if there be more than one such guardian, they shall jointly have the right to cast only one vote for any candidate at any election or on any question, or such guardians may, if they prefer, designate in writing one of them as voting member in their stead, and shall thereupon become eligible to represent the property in the affairs of the Association.
- **Section 2C.** In case the legal title to any property in the district is held by a corporation or land trust, the Board of Directors of such corporation, or land trust, or its President or Vice-President, may designate in writing on of its officers, members or employees as its member representative, or the land trust beneficiary shall certify himself or herself to be such, therefore becoming the trust's member representative.
- **Section 3.** <u>Voting Rights</u> Each member shall have one vote for each property so owned, for any candidate at any Association election of Directors, or on any question raised at any "Association Meeting".
- **Section 4. Duration of Eligibility** Membership in good standing in this Association may continue only during the ownership of any property in the district by the member or person or party whom he or she represents and only so long as said property is in good standing as herein provided.
- **Section 5.** Members in Good Standing The Homeowners Association or charge shall be established annually by the Board of Directors and such other fees or charges shall be payable at such interval as the Board of Directors shall determine, and a member to be in good standing shall not be more than 6 months in arrears in the payment of required assessments.
- **Section 6.** Record of Members in Good Standing The Secretary shall keep a correct list of all members who are in good standing and entitled to vote. All members shall notify the Secretary of any change of address or ownership of property. The **Treasurer** shall submit periodic reports on members in good standing, and delinquents, and shall submit said report(s) **30 days prior to any election** of Directors, and such Report shall be deemed final.
- **Section 7.** In addition to the foregoing membership, there shall also be **Associate Membership** open to anyone who is a verifiable adult resident of and owns in part or in whole a leasehold interest in the area described in Section 1 of this Article.

Associate Members shall pay the same assessment as required of members, unless paid by the owners. Associate Members shall have the same privileges as members, as to attendance and participation in meetings and events open to general membership, provided, however, that Associate Members shall not have the right to cast votes, be Directors, or hold office in the Association.

ARTICLE IV - BOARD OF DIRECTORS / MARYNOOK COUNCIL

Section 1. The corporate powers of this Association shall be vested in its Board of Directors. It shall conduct, manage and control the property, and regulations for the guidance of officers and the management of the Association. It shall keep complete records of all proceedings. At each annual meeting of the Association, it shall present a complete financial report, showing assets, liabilities, receipts and disbursements. It shall employ and discharge at will all agents, servants and employees of the Association, prescribe their duties, and fix their compensation, if applicable.

Section 2. For the purpose of geographic identification, the following MARYNOOK DISTRICTS have been created (modified June 1993):

1	8300 S. Dorchester, south to 8456 S. Dorchester (even)	20 hamas
	1348 E. 85th Street & 1352 E. 85th Street (even)	29 homes
2	1301, 1307, 1311, 1315, 1321, 1325, 1333 & 1341, 1347, 1353 E. 83rd Street (odd)	
	8312 S Kenwood, south to 8450 S. Kenwood (even)	55 homes
	8313 S. Kenwood, south to 8455 S. Kenwood (odd)	
3	8300 S. Kimbark, south to 8454 S. Kimbark (even)	40 1
	8301 S. Kimbark, south to 8449 S. Kimbark (odd)	42 homes
4	1345 E. 85th Street, east to 1355 E, 85th Street (<i>odd</i>)	26 1
	8500 S. Dorchester, south to 8640 S. Dorchester (even)	26 homes
5	1118 E. 85th Street, east to 1268 E. 85th Street (even)	45 1
	1160 E. 85th Street, east to 1269 E. 85th Street (odd)	45 homes
6	8510 S. Woodlawn, south to 8576 S. Woodlawn (even)	20 hamas
	8511 S. Woodlawn, south to 8571 S. Woodlawn (odd)	28 homes
7	8500 S. University, south to 8668 S. University (even)	£1.1
	8529 5. University, south to 8617 S. University (odd)	51 homes
8	8500 S. Avalon, south to 8614 S. Avalon (even)	
	8501 S. Avalon, south to 8627 S. Avalon (odd)	52 homes
	1223 through 1244 E, 85th Place (All Inclusive)	
9	8536 S. Kenwood, south to 8644 S. Kenwood (even)	
	8535 S. Kenwood, south to 8645 S. Kenwood	57 hamas
	8608 S. Kimbark, south to 8638 S. Kimbark (even)	57 homes
	8617 S. Kimbark, south to 8664 S. Kimbark (odd)	
10	1300 E. 87th Street, east to 1378 E. 87th Street (even)	
	8631 & 8633 S. Avalon	20.1
	8661, 8663, 8668 & 8670 S. Kimbark	39 homes
	8648, 8649, 8650 & 8651 S. Kenwood	(Town-homes)
	8644 & 8646 S. Dorchester	Connected dwellings

- **Section 3.** There shall be a minimum of six (6) and a maximum of ten (10) Directors elected to serve as "AT LARGE DIRECTORS", for a term of two (2) years each, with one-half of the terms expiring each year.
- **Section 4.** The term of office for each Director shall commence on the first day of June following the election and shall be for a term of two years.

- **Section 5.** During the period of March 1st through March 31st of each year, members in good standing who have declared their candidacy for office of Director in the month of February, shall conduct campaign activities for election in May. Such election shall be conducted by a Nominating Committee appointed by the Board of Directors and shall be governed by the following rules:
 - (a) Notice of the time, place and voting procedure for the election of Director, shall be given at least five days, but not more than fifteen days prior to the election of the Director, to each member in good standing of the: Association, Such notice must be in writing~.
 - **(b)** Each candidate for Director must declare his or her candidacy at the February meeting by filing a prescribed form,
 - (c) Voting at each election shall be by secret ballot.
 - (d) No proxy voting shall be permitted, except as provided in Section 2-A of Article III.
 - (e) No limit shall be placed on the' number of candidates for the office of Director, but no one may be nominated unless he/she is present at the meeting or has designated in writing his or her willingness to serve.
 - (f) Other rules and mechanics will be proposed by the Nominating Committee and approved by the Board of Directors.
 - (g) Absentee ballots are permitted for eligible voters who are not available to physically participate.
- **Section 6.** In case of vacancy in the office of a Director for any reason, the remaining Directors at a regular or special meeting shall appoint another qualified member resident of Marynook to fill the vacancy for the unexpired term.
- **Section 7.** Sixty percent (60%) of the elected Directors shall constitute a **quorum** for the transaction of business at any meeting. It shall be the responsibility of each Director to notify all residents of the Districts assigned to each of them, of all **meetings of MHA** Directors and the **Association general meetings**.
- **Section 8.** The **act of the majority of the Directors** present at a meeting at which a quorum is present shall be the act of the Board of Directors.
- Section 9. The Board of Directors shall have authority to appoint by resolution an Executive Committee composed of the President and two or more Directors, the Treasurer and Secretary, who, to the extent provided in such resolution, shall have and exercise the authority of the Board of Directors in the management of the business between meetings of the Board.
- **Section 10.** The Directors shall receive no compensation for their services
- **Section 11.** In the initial year of operating under these By-Laws, as amended, all sections of ARTICLE IV related to the terms of office of Directors and the specific time frame for

elections, shall be modified to permit startup implementation.

ARTICLE V - OFFICERS AND THEIR DUTIES

Section 1.

- (a) The officers of this Association shall be a President, Vice-President, Secretary and Treasurer, who shall be elected by the Board of Directors. The Board of Directors may also, from time to time, name assistant officers who shall hold office at the will of the Board of Directors,
- **(b)** The officers of the Association shall be Directors, who during the term preceding the term of office, served as Directors who attended at least fifty percent (50%) of the quarterly meetings of the Board, beginning in the second year of operations under these By-Laws.
- (c) The officers shall hold office for a term of two years beginning with the meeting of the Board of Directors each year that immediately follows the Annual meeting and continuing until the first Board meeting of the following two years.
- (d) No officer may serve more than three consecutive terms in the same office
- (e) Elections for the respective offices of the Board shall be held at the meeting of the Board of Directors that is so designated by the Board. The election of officers shall be the first order of business conducted at this meeting The President shall determine the date, place, and time of said election, and the secretary shall notify the Board of Directors by a **notice in writing** at least thirty days, but not more than sixty days, prior to the date of election. Election meeting may only be held or started at a time thought to be convenient to the majority of Directors The election of officers shall be conducted by a chairperson appointed by the President and shall be governed by the following rules
 - 1. No member of the Board of Directors shall be permitted to cast a ballot unless he/she is present at the meeting.
 - 2. No member of the Board of Directors shall be nominated unless he/she is present at the meeting or has confirmed in writing his/her willingness to serve,
- (f) The Board of Directors may appoint or remove any officer or employee at its discretion, and any vacancy caused by removal, resignation, death, cessation of membership in the Association for any cause whatever, may be ruled by the Board of Directors as it may deem advantageous.
- Section 2. The President shall preside Over all meetings of the members and Directors and shall have the usual powers and duties of such office; he or she shall sign all instruments in writing to be executed by the Corporation, shall countersign all checks with the Treasurer and shall perform such other duties as may be conferred upon him or her by the Board of Directors, but the authority shall be subject to the control and direction of the Board of Directors at all times.
- **Section 3.** The duties of the Vice-President shall be to do and perform all the duties of the President in the absence or inability of the President, and such other duties as the President or Board

of Directors may assign.

- Section 4. The Secretary shall 1) Keep a permanent and complete record of all proceedings of each meeting of the Board of Directors and of each General Meeting of the Association; 2) Provide notice of all meetings as herein required; 3) Keep a Roster of all members of the Association in good standing, 4) Serve as custodian of all corporate records and the corporate seal; and, 5) Perform such other duties that usually and properly pertain to the office of Secretary, or as may be directed by the Board of Directors.
- Section 5. The duties of the Treasurer shall be to receive and deposit in such bank(s) as the Board of Directors may from time to time direct, all monies belonging to the Association, to sign checks, to keep a true and detailed account of all monies received and paid out, to make a financial report and budget recommendation in writing at each annual meeting of the Association members, to be mailed semi-annually, to all members, and at any special meeting of the Association members whenever requested to do so, and to make such a report at any meeting of the Board of Directors whenever required; to turn over to the successor in office at the next regular meeting or sooner if so directed by the Board of Directors, all monies, records, papers and other property then on hand belonging to the Association; and to do and perform all other duties that usually pertain to the office of Treasurer.
- **Section 6.** The officers shall not receive any compensation for their services.
- **Section 7.** The President, Vice-President, and Treasurer shall be **bonded** in an amount to be determined by the Board of Directors, and all such premiums therefore shall be paid by the Corporation.
- **Section 8.** All official books and records of the **MARYNOOK HOMEOWNERS ASSOCIATION**, to include its minutes, financial records, tax returns, bank statements, cancelled checks, invoices and receipts, will be open and available for inspection and review at quarterly meetings of the Board of Directors, by any Association member in good standing, so long as such requests are in writing and received at least 30 days prior to the requested inspection/review date Such requests must pertain to the current fiscal year, or any preceding three (3) fiscal years.

ARTICLE VI - MEETINGS

ASSOCIATION MEETINGS

Section 1. The regular annual meeting of the Association, herein called "Association Meeting", shall be held in May of each year, at such time and place as may be affixed by the Board of Directors and set out in the notice of the meeting, provided, however, that the Board of Directors shall have the right to fix any other time by appropriate resolution entered on the minutes of a meeting of the Board of Directors

Special meetings of the members of the Association may be held at any time on call of the Board of Directors,

Section 2. The members of the Association shall be notified by the Secretary by a printed or written

notice sent or delivered to the last known address of the member at least five days before the date of the regular meeting, stating the time and place of the meeting. Special meetings may be called in like manner after five days' notice, but any such notice shall designate the purpose of the meeting. In all such cases, the walling of the notice shall be considered as the notice required to be given; and notices need only be given to members appearing as such on the books of the Association as members in good standing.

BOARD OF DIRECTORS MEETING

Section 3. The <u>regular meeting of the Board of Directors</u> shall be held at a time, place and date designated by the Board at least every 3rd calendar month or on such other dates as the Board of Directors may so designate. Written notice of the regular meeting shall be given to each Director by the Secretary at least annually or five days but not more than fifteen days prior to the regular meeting. In the event the regular meeting date falls on a holiday, then the meeting date for the subsequent regular meeting will be set at the previous meeting.

Special meetings of the Board of Directors may he held at any time on call of the Secretary, or the President, or the Vice-President, by written notice sent to the Directors at least five days before the date of the meeting, stating the time, place and purpose of the meeting. No business other than that described in the notice shall be conducted. The sending of such notice shall be considered as the notice required to be given.

All meetings of the Board of Directors shall be open to invitees and members of the Association for the purpose of observation, but no one except a Director shall have the right to vote The Board of Directors by resolution may authorize any invitee or member of the Association to speak as advisory, upon any topic.

ARTICLE VII - COMMITTEES

- **Section 1.** The following committees shall have the status of **Permanent Committees** and shall perform the duties and functions described herein or by the Board of Directors:
 - (a) Committee Security & Safety Committees
 - **Protective Covenants Committee** Administer and supervise the enforcements of the Protective Covenants.
 - (c) <u>General Welfare and Property Standards Committee</u> Investigate, recommend and handle matters pertaining to the general interest, welfare, appearance, and health of the community or any property within the Districts,
 - (d) <u>Community Relations Committee</u> At the direction of the Board of Directors, members of this committee are responsible to maintain a relationship with external organizations such as:
 - 1. Board of Education and local schools
 - 2. Chicago Park District
 - 3. Chicago Library Board and local libraries

- 4. Local Chamber of Commerce & Business Associations
- 5. Aldermanic, Congressional and other offices of elected city, county, state and federal officials
- 6. Other organizations that represent homeowners and/or communities
- 7. Local Churches
- (e) <u>Budget Committee</u> Prepare and review budget. Advise Board on proper expenditures.
- (f) <u>Social & Cultural Committee</u> Arrange for such Social Activities and Educational program as the Board of Directors shall approve.
- **Section 2.** In addition to the Permanent Committees, the Board of Directors may authorize additional committees to include:
 - a. <u>By-Laws & Rules Committee</u> -. Prepare the original By-Laws and prepare any additions or revisions thereto requested of it by the Boardof Directors or by any member thereof for submission to the Board for approval.
 - b. Welcome Wagon Committee
 - c. <u>Program Committee</u> Arrange for such Public Relations, Property Owner & Consumer Educational activities as the Board of Directors shall determine.
 - d. <u>Nominating Committee</u> Establish and supervise a procedure designed to secure qualified candidates for Directors of the Association,
- **Section 3.** The **President shall appoint Chairpersons**, with the recommendations from the committee, to all **Permanent Committees** and create such ad hoc committees as is deemed necessary.
- **Section 4.** Each committee may adopt rules for its own governance to be consistent with these By-Laws of with rules adopted by the Board of Directors, No committee can establish dues or other forms of assessments to committee members that discourages participation and representation by each District in Marynook. The purpose and establishment of such funds must be pre-approved by the Board of Directors.
- **Section 5.** The President shall have the right, upon recommendation, to remove any member from any committee, whether temporary or permanent, whenever, in his or her judgment, the interests of the Association shall be best served thereby.
- **Section 6.** Any member of the Association in good standing shall he eligible for membership on any committee. Each chairperson shall attend the meetings of the Board of Directors and must be approved by the Board of Directors,

ARTICLE VIII - <u>ASSESSMENTS</u>

Section 1. To obtain funds needed to meet the operating expenses or a special purpose of the Association, to acquire, improve, and maintain any public areas within any or all the districts of this Association, or to meet expenses incurred in performing any proper

function of the Association, to include the necessary enforcement of the Protective Covenants, the Board of Directors shall have the power to make an assessment, either annual or interim, on the properties eligible for membership. This assessment must be made on any equitable basis determined by the Board, so long as the assessment is uniform in its application.

- Section 2. Written notice of such proposed special assessment and its purpose shall be given all members with a minimum of 14 days prior to the vote of the Board of Directors. The notice shall show the purpose of the amount assessed and the payment time limit of each member. All regular assessments are payable annually in June for the ensuing calendar year starting January 1st, All special assessments must be approved by the membership of the Association, present, at a special meeting of the Board of Directors, All special assessments are payable hi accordance to the directive communicated by such notices that are approved by the Board of Directors.
- Section 3. Each property eligible for membership shall be liable for the payment of all assessments In the case of representative members, however, the owner or owners of the record title who are represented by such representatives shall be liable for the payment of assessments~ In the event that record title is held by more than One person or corporation, the liability shall be joint and several,
- **Section 4.** The Board of Directors may file a protective lien against any property in Marynook for the unpaid regular and special assessments that remain unpaid for six (6) months after notification by certified mail, or when such delinquent regular and special assessments accumulate to a total of \$100.00, whichever occurs first, in addition to all appropriate legal fees required to effect said lien,

ARTICLE IX - PARLIAMENTARY AUTHORITY

The <u>Roberts' Rules of Order</u> shall govern all matters of parliamentary procedure in cases not specifically provided for by these By-Laws.

ARTICLE X – CLOSE OF BUSINESS

At all regular meetings of the Board, the minimum order of business to be followed shall be:

Roll Call of Directors	Minutes of previous meeting
Treasurer's Report	Unfinished Business
Proposals	New Business
Adjournment	

ARTICLE XI - SEAL

The Board of Directors shall provide a corporate seal which shall be in the form of a circle and shall have inscribed thereon the name of the Association and the words "Corporate Seal, Illinois".

ARTICLE XII- AMENDMENTS

These By-Laws may be altered, amended, added to, and repealed at any Director's meeting by a majority vote of the entire Association membership present, if there be a quorum, and provided a notice containing the proposed alternation, amendment, addition, or naming the By-Law to be repealed, has been sent by the Secretary to each Director, and the entire Association membership, at least ten days prior to the meeting.

ARTICLE XIII- DISSOLUTION OF CORPORATION

The dissolution of the MARYNOOK HOMEOWNERS ASSOCIATION requires a three-fourth (3/4) majority vote of the entire Association membership in good standing. The meeting that is scheduled for this purpose must be preceded by adequate written notice to all members of the MARYNOOK HOMEOWNERS~ ASSOCIATION who are in good standing, no later than two quarterly Board of Director meetings, before the meeting at which the dissolution of the "Association" is to be on the agenda. Upon dissolution, all net assets, must be liquidated and a pro-rated share returned to all residences of Marynook who where in good standing at the end of the calendar year that immediately preceded the vote of dissolution.

ARTICLE XIV - USE OF NAME: MARYNOOK

The name "MARYNOOK" is a registered trademark of the community that bears its name and as such can only be used by the MARYNOOK HOMEOWNERS ASSOCIATION or by those who are specifically authorized by its Board of Directors.

MARYNOOK HOMEOWNERS ASSOCIATION

BY-LAWS REVIEW

COMMENTS AND RECOMMENDATIONS

ARTICLE	#			:
ARTICLE	#	SECTION	#;	
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NOTIFICATION OF COVENANTS DETERMINATION

TO:

MARKNOOK HOMEOWNERS ASSOCIATION P.O. BOX 19018 Chicago, IL 60619-0018

FROM:	Date
	Telephone #
	Date Determination Response Needed:
plan to schedu	ale property improvements for property located at:, as is herein described on attachments pagesthrough
A Determination	on is requested to confirm full compliance with the applicable section(s) of the Marynook
	OR
	ne whether or not a violation of the Marynook Protective Covenants exists at the following, or is more fully described herein as attachments pages through
*FORM	M MUST BE SIGNED TO INITIATE RETURN BY THE BOARD OF DIRECTORS
	Sincerely,
TO:	NOTIFICATION OF COVENANTS DETERMINATION MARKNOOK HOMEOWNERS ASSOCIATION P.O. BOX 19018 Chicago, IL 60619-0018
FROM:	Date
	Telephone #
	Date Determination Response Needed:
I plan to sched	iule property improvements for property located at:, as is herein described on attachments pages through ion is requested to confirm full compliance with the applicable section(s) of the Marynook
A Determinat	venants.
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Protective Co	OR

*FORM MUST BE SIGNED TO INITIATE RETURN BY THE BOARD OF DIRECTORS

Sincerely,

NOTIFICATION OF PENDING PROPERTY SALE

TO:

MARYNOOK HOMEOWNERS ASSOCIATION P.O. BOX 19018 Chicago, IL 60619-0018

		Date	
,		Telephone #	
Covenants, that Owner(s) or te	fy the Marynook Homeowners Association, in acco t my property has been or will be sold on or about ef enants, if known, are:	rdance with the Marynook Protestive The	ctive new
that my propert or special assess	a letter from the Marynnok Homeowners Association nerty is in full compliance with the Marynook Protective estimates that remain unpaid.	Covenants and that there are no re	firm ;ular
	NOTIFICATION OF PENDING PRO	OPERTY SALE	
то:	MARYNOOK HOMEOWNERS AS P.O. BOX 19018 Chicago, IL 60619-001	SSOCIATION	
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TO: FROM:	MARYNOOK HOMEOWNERS AS P.O. BOX 19018 Chicago, IL 60619-001	SSOCIATION 8	
FROM: This is to notif Covenants, that Owner(s) or te	MARYNOOK HOMEOWNERS AS P.O. BOX 19018 Chicago, IL 60619-001 fy the Marynook Homeowners Association, in account may property has been or will be sold on or about efficients, if known, are:	SSOCIATION 8 Date Telephone # rdance with the Marynook Prote	ctive
FROM: This is to notif Covenants, that Owner(s) or tel Telephone # Please forward a hat my property	MARYNOOK HOMEOWNERS AS P.O. BOX 19018 Chicago, IL 60619-001	Date	ctive new ——•

NOTIFICATION OF NEW NEIGHBOR

TO:	MARYNOOK HOMEOWNERS ASSOCIATION
	P.O. BOX 19018
	CHICAGO, IL 60619-0018
FROM:	
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DATE:	
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	NOTIFICATION OF NEW NEIGHBOR
TO:	MARYNOOK HOMEOWNERS ASSOCIATION
	P.O. BOX 19018
	CHICAGO, IL 60619-0018
FROM:	
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DATE:	·
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I have already ex Homeowners Asso	rpressed an appropriate WELCOME to them and now request that the Marynook visition schedule our traditional "WELCOME WAGON" visit.